

# **EXHIBIT 3**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF TEXAS  
3                   SHERMAN DIVISION  
4                   THE STATE OF TEXAS, ET AL )  
5                   )                   CASE NO. 4:20-CV-957-SDJ  
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9                   SPECIAL MASTER DISCOVERY HEARING

10                          APRIL 4, 2024

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13           SPECIAL MASTER HEARING, via Zoom, was taken in the  
14 above-styled and numbered cause before Special Master  
15 David Moran on the 4th day of April, 2024, from  
16 10:02 a.m. to 11:27 a.m., before Melinda Barre,  
17 Certified Shorthand Reporter in and for the State of  
18 Texas, reported by computerized stenotype machine, all  
19 parties appearing remotely via web videoconference,  
20 pursuant to the rules of procedure and the provisions  
21 stated on the record or attached hereto.

1 APPEARANCES  
2 (ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

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ALSO PRESENT: David Moran, Special Master  
16 William Nilsson

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1                   SPECIAL MASTER: Good morning. Let's get  
2 started. We're here again for our regular hearings  
3 before the special master in the State of Texas, et al  
4 versus Google, Cause No. 20-cv-957 in the United States  
5 District Court for the Eastern District of Texas,  
6 Sherman Division.

7                   Let's begin as we usually do with  
8 appearance of counsel and it will be helpful for  
9 Melinda, I think, this morning. She may not have a list  
10 of all of the usual counsel that have participated in  
11 our previous hearings.

12                  So on behalf of the States, Mr. DeRose,  
13 would you like to kick it off?

14                  MR. DeROSE: Yes, sir. Thank you. And as  
15 you noted, Mr. Lanier is starting a trial in Montana.  
16 Voir dire, opening statements and witness -- first  
17 witness, I think, on Monday. So deep in witness prep.

18                  But Zeke DeRose for the Lanier Law Firm  
19 and the State of Texas. We've also got on our team here  
20 Mark Collier, Geraldine Young and John McBride from  
21 Norton Rose Fulbright. We have from the Texas AG's  
22 office James Lloyd and Trevor Young. We also have Roger  
23 Alford, A-l-f-o-r-d, for the State of Texas from Notre  
24 Dame. We also have from the plaintiff states Mr. Kyle  
25 Bates from the Hausfeld firm and he represents the State

1                   So that's a nice segue, I think, now to  
2 Google's disputes on the 30(b)(6), No. 1. I read that  
3 to be the parties appear to have reached a resolution as  
4 to scope of the 30(b)(6). And we don't need to talk  
5 about scope but need to talk about scheduling. Is that  
6 a fair read of the lay of the land?

7                   MR. YETTER: If you'd like me to start,  
8 I'm happy to start, Special Master.

9                   SPECIAL MASTER: That would be fine.

10                  MR. YETTER: Okay. I do believe we've  
11 reached an agreement about scope, if I could just get  
12 that confirmed, because we think we have; and we put it  
13 in our piece of the submission to you.

14                  But I'm sure the State agrees but if they  
15 don't, they should say so now and we can put that issue  
16 to bed.

17                  SPECIAL MASTER: What sayeth the States?

18                  MS. YOUNG: We are agreed with scope. And  
19 you'll see that each State has essentially agreed to  
20 testify about everything except, of course, anything  
21 that's privileged or protected across all the topics.

22                  And I will tell you it's been a huge  
23 effort on the States' part, I think, to make that  
24 concession in light of the case law that we cited to  
25 Google where motion for protective orders have been

1 STATE OF TEXAS

2 COUNTY OF HARRIS

3 REPORTER'S CERTIFICATE

4 SPECIAL MASTER DISCOVERY HEARING

5 APRIL 4, 2024.

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7 I, the undersigned Certified Shorthand Reporter in  
8 and for the State of Texas, certify that the facts  
9 stated in the foregoing pages are true and correct.

10 I further certify that I am neither attorney or  
11 counsel for, related to, nor employed by any parties to  
12 the action in which this testimony is taken and,  
13 further, that I am not a relative or employee of any  
14 counsel employed by the parties hereto or financially  
15 interested in the action.

16 SUBSCRIBED AND SWORN TO under my hand and seal of  
17 office on this the 8th day of April, 2024.

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Melinda Barre, CSR  
22 Texas CSR 2192  
Expiration: 12/31/25

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